

Marge Schmuckal - Fwd: RE: Bristol

From: Barbara Barhydt
To: Bobinsky, Michael; Earley, Katherine; Jaegerman, Alex; Labelle, Eric;...
Date: 5/19/2014 2:13 PM
Subject: Fwd: RE: Bristol
CC: DiPierro, Philip; Fraser, Jean; Thompson, Jennifer; Walden, Lawrence;...

Hello:

Here is the response to Jim Wolf's questions about Bristol Street as advised by Corporation Counsel's office and reviewed by Jennifer.

Thank you.

Barbara

>>> Barbara Barhydt Monday, May 19, 2014 2:09 PM >>>
Hi Jim:

I received confirmation from Corporation Counsel's office that we will continue to interpret Section 14-403 as it has been applied in the past. Thus, you will be required to construct the street (including sewers, storm drains, pavement, etc.) in front of the home to City standards and connect to existing pavement, but you are not required rebuild the whole of Brewster Street to the point where the street or intersection is an accepted street. Please be aware that there will be a condition of approval aimed at clarifying that the City is not obligated and may refuse to accept the street after it's built and is not obligated and may refuse to conduct maintenance or provide City services. That may take the form of a requirement that you put a disclaimer in any deed conveying the property that clarifies the City's obligation (or lack thereof) to maintain or accept the street. This disclaimer will become part of other street extensions where the streets do not connect with a currently city accepted street.

Sorry for the long delay, but this has generated a thorough review of the City's ordinances and it has raised the question of whether amendments to the ordinance should be considered.

Thank you.

Barbara

Barbara Barhydt
Development Review Services Manager
Planning Division
389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256

bab@portlandmaine.gov

>>> "James Wolf" <jmw1@maine.rr.com> Friday, May 16, 2014 12:32 PM >>>

Thank you. Is the confusion over the 14-403 ordinance in general or building a new road off of an unaccepted road? Curious to know as I look at other properties.

James Wolf

Diversified Properties, Inc

PO Box 10127

Portland, Maine 04104

207-773-4988

This e-mail is confidential and is intended only for the person(s) named above. Its contents may also be protected by privilege, and all rights to privilege are expressly claimed and not waived. If you have received this e-mail in error, please call us immediately and destroy the entire e-mail. If this e-mail is not intended for you, any reading, distribution, copying, or disclosure of this e-mail is strictly prohibited.

From: Barbara Barhydt [<mailto:BAR@portlandmaine.gov>]
Sent: Friday, May 16, 2014 11:25 AM
To: James Wolf
Cc: David Margolis-Pineo
Subject: RE: Bristol

Hi Jim:

There is a split among staff on how to interpret the ordinance. The discussion has been raised to the department head level for their consideration. I don't know when they expect to take this up, but I will try to find out the time frame for you.

Thank you.

Barbara

>>> "James Wolf" <jmw1@maine.rr.com> Friday, May 16, 2014 10:29 AM >>>

Hello Barbara

On March 12 we met to discuss the land on Brewster Street. The owners of the property are placing pressure on me and feel I am not trying to move forward. I understand there is some type of internal issue, however,

please give me an update to what the exact issue is and when staff feels it will be resolved so the owners can move forward. If there is anything I can do please do not hesitate to ask.

I look forward to having some information to pass on.

Thank you.

James Wolf

Diversified Properties, Inc

PO Box 10127

Portland, Maine 04104

207-773-4988

This e-mail is confidential and is intended only for the person(s) named above. Its contents may also be protected by privilege, and all rights to privilege are expressly claimed and not waived. If you have received this e-mail in error, please call us immediately and destroy the entire e-mail. If this e-mail is not intended for you, any reading, distribution, copying, or disclosure of this e-mail is strictly prohibited.

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested.